

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Dakota

METHODS FOR TREATMENT OF INCOME THAT DIFFER FROM  
THOSE OF THE SSI PROGRAM

(Section 1902(f) more restrictive methods and criteria and State supplement criteria in SSI criteria States without section 1634 agreements and in section 1902(f) States. Use to reflect more liberal methods only if you limit to State supplement recipients. DO NOT USE this supplement to reflect more liberal policies that you elect under the authority of section 1902(r)(2) of the Act. Use Supplement 8a for section 1902(r)(2) methods.)

More Restrictive Criteria

1. Twenty-five percent of that excess income of the ineligible medical assistance unit in the home which exceeds the appropriate medically needy income level will be deemed to be available to an eligible individual residing in a specialized facility.
2. No income from any other source may be used to offset a self-employment loss.
3. Income from rental of rooms, apartments, or other property is unearned income, except that income from room rentals is considered 'earned,' if the recipient is actively engaged in the venture by such means as making the bed, changing linens, cleaning the room, etc.
4. All infrequent or irregular income is considered in the month received.

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METHODS FOR TREATMENT OF INCOME THAT DIFFER FROM  
THOSE OF THE SSI PROGRAM (Continued)

5. All veterans benefits (except Aid and Attendants) are considered non-exempt income for the Aged, Blind, and Disabled.
6. Non-recurring lump sum income is considered income in the month received and a resource thereafter except retroactive lump sum SSI payments which are disregarded in the month received.

Definition of Terms

1. A Medical Assistance Family unit is defined as one individual, a married couple, or a family with children under 21 years of age whose income is considered together in determining eligibility.

"Ineligible Medical Assistance Unit" is a term used to describe a situation which could involve a husband, age 58, not disabled, residing in his own home and his wife age 57 and disabled in a specialized facility. The husband is not eligible for Medical Assistance; however, his income must be considered.

2. Specialized Facilities - Those non-title XIX facilities licensed or approved by the State which provide for maximum reduction of physical or mental disability and restoration of a recipient to his best possible functional level. The length of stay in a specialized facility is generally of short duration.
3. Appropriate Medically Needy Income Level - refers to the amount reserved for maintenance, which varies based on the size of the unit.
4. Excess income is the amount of net income remaining after allowing the appropriate disregards, deductions and appropriate Medical Assistance income level.

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